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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,017	05/23/2001	Veijo Vantinen	P3590US00	9980
30671 7590 05/13/2010 DITTHAVONG MORI & STEINER, P.C. 918 Prince Street Alexandria, VA 22314				
EXAMINER TRUONG, THANHNGA B				
ART UNIT 2438		PAPER NUMBER		
NOTIFICATION DATE 05/13/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@dcpatent.com

Office Action Summary**Application No.**

09/864,017

Applicant(s)

VANTTINEN ET AL.

Examiner

THANHNGA B. TRUONG

Art Unit

2438

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27, 28 and 31-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-26 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 29 and 30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/02)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This action is responsive to the communication filed on February 2, 2010. Claims 1-34 are pending. At this time, claims 27-28 and 31-34 are still rejected. Claims 29-30 are objected.

In preparing for this office action, Examiner has pointed out particular references contained in the prior art(s) of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claims, other passages and figures may apply as well. Applicant should consider the entire prior art as applicable as to the limitations of the claims. It is respectfully requested from the applicant, in preparing the response, to consider fully each reference in its entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Response to Arguments

2. Applicant's arguments filed on February 2, 2010, with respect to claims 21-26, under 35 USC 112 have been considered and they are persuasive. Therefore the previous rejection has been withdrawn.

Applicant's arguments filed on February 2, 2010, with respect to claims 27-34, have been considered but they are not persuasive. However, upon further consideration, a new ground(s) of rejection is made in view of Dent et al (US 5,812,955).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 27-28 and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Linden et al (US 6,549,773 B1), and further in view of Dent et al (US 5,812,955).

a. Referring to claim 27:

i. Linden teaches An apparatus, comprising:

(1) at least one processor (**see Figure 1, client 1, MS1 and/or MS2 should include a processor to process communication between them of Linden; furthermore Dent teaches a control processor 154 as shown in Figure 3 of Dent**); and

(2) at least one memory (**column 5, line 31 of Linden**) including computer program code, the at least one memory and the computer program code being configured, with the at least one processor, to cause the apparatus at least to:

(3) receiving, from a mobile station, information relating to a location information request and a sender of the location information request (**see Figure 1, wherein client 1 functions as a mobile station sending a request via gateway 2 through server 3 for requesting information related between communication device MS1 and MS2 and column 6, lines 1-15 of Linden**); and

(4) exchanging information about a security association with a network element connected to a cellular network, the security association pointing to the network element from the sender of the location information request (**see Figure 1 and column 10, lines 6-8, wherein the information is exchanging between the client 1 and server 3; and column 6, lines 57-66, wherein the information about a security association is stored in the smart card (e.g., SIM card) that uses in mobile phone, such as MS1 and MS2 of Linden**).

ii. Although Linden discloses exchanging information between the client 1 and serve 3 (see column 10, lines 6-8), Linden is silent about exchanging information that associates with security association. On the other hand, Dent teaches this limitation in **column 2, lines 60-67 of Dent**.

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) have modified the invention of Linden with the teaching of Dent to enhance the wireless network communication system.

iv. The ordinary skilled person would have been motivated to:

(1) have modified the invention of Linden with the teaching of Dent to improve security for use within the area cellular networks.

b. Referring to claim 28:

i. This claim has limitations that is similar to those of part (2) of claim 27, thus it is rejected with the same rationale applied against part (2) of claim 27 above.

c. Referring to claim 33:

i. Linden teaches an apparatus comprising:

(1) at least one processor (**see Figure 1, client 1, MS1 and/or MS2 should include a processor to process communication between them of Linden; furthermore Dent teaches a control processor 154 as shown in Figure 3 of Dent**); and

(2) at least one memory (**column 5, line 31 of Linden**) including computer program code, the at least one memory and the computer program code being configured, with the at least one processor, to cause the apparatus at least to:

(3) receive, from a network element of a cellular network, a notification about a location information request (**see Figure 1, wherein server 3 received request from MS1 and/or MS2 through client 1 functioning as mobile station; and column 6, lines 1-15 of Linden**).

(4) transmit a notification response to the network element of the cellular network **(see Figure 1, wherein server responded information, message, or notification to client 1 of Linden)**, and

(5) transmit a notification about the location information request to a packet data device, which is either an integral part of the apparatus or attached to the apparatus **(see Figure 1, wherein client 1 is a packet data device that associated with MS1 and MS2 requesting information through server 3 of Linden)**.

ii. Although Linden discloses communicating information between the client 1, MS1 and/or MS2, Linden is silent on a packet data device being an integral part of a mobile station or being attached to a mobile station. However, Dent clearly teaches this limitation in **column 2, lines 30-50 of Dent**.

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) have modified the invention of Linden with the teaching of Dent to clearly show the communication system for use within the wireless network communication system.

iv. The ordinary skilled person would have been motivated to:

(1) have modified the invention of Linden with the teaching of Dent to provide an improved radio personal communications system.

d. Referring to claim 34:

i. Linden further teaches:

(1) receive a permission from the packet data device; and initiate, in response to receiving the permission, transmission of a response to the location information request to a network element of the cellular network **(column 1, lines 34-43 of Linden)**.

5. Claims 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Linden et al (US 6,549,773 B1), in view of Dent et al (US 5,812,955), and further in view of Wang et al (US 6,415,154 B1).

a. Referring to claim 31-32:

i. Although the combination of teaching between Linden and Dent teaches the claimed subject matter, they are silent on the capability of showing receiver of a positioning system, wherein the receiver is a Global Positioning System receiver. On the other hand, Wang teaches these limitations **in column 2, lines 26-30 of Wang.**

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) have modified the modified-invention of Linden with the teaching of Wang to enhance the wireless network communication system.

iv. The ordinary skilled person would have been motivated to:

(1) have modified the modified-invention of Linden with the teaching of Wang to determine the location of the network element, such as mobile phone.

Allowable Subject Matter

6. Claims 1-26 are allowed.

7. Claims 29-30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Taghi Arani can be reached at 571-272-3787. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

/Thanhnga B. Truong/
Primary Examiner, Art Unit 2438
May 8, 2010